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Letter dated 31 December 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, containing an account of the Committee's activities from 1 January to 31 December 2007 (see annex). The report, which was adopted by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

In this connection, I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Johan C. **Verbeke**
Chairman
Security Council Committee established pursuant to
resolution 1572 (2004) concerning Côte d'Ivoire

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Annex

Report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire covers the period from 1 January to 31 December 2007.

2. For 2007, the Committee's Bureau consisted of Johan Verbeke (Belgium) as Chairman, and the delegations of South Africa and Italy as Vice-Chairmen.

II. Background

3. By its resolution 1572 (2004) of 15 November 2004, the Security Council imposed an arms embargo, with immediate effect, as well as travel restrictions and an assets freeze on designated individuals and entities, to take effect on 15 December 2004.

4. By paragraph 14 of resolution 1572 (2004), the Council established a Sanctions Committee to: (a) designate and make public a list of individuals and entities subject to the targeted measures; (b) seek information from States and entities on their implementation of the measures; (c) consider and decide upon requests for exemptions to the arms embargo and other targeted measures; (d) promulgate guidelines for the conduct of the Committee's work; and (e) report to the Council regularly on its work, with observations and recommendations on ways to strengthen the effectiveness of the measures.

5. By its resolution 1584 (2005) of 1 February 2005, the Security Council authorized the United Nations Operation in Côte d'Ivoire (UNOCI) and the supporting French forces to monitor the arms embargo imposed by the Council in resolution 1572 (2004), which required all countries to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire of arms or any related materiel.

6. Also by resolution 1584 (2005), the Security Council requested the Secretary-General, in consultation with the Committee, to set up a group of experts to, inter alia, examine the information gathered by UNOCI and the French forces in the context of the monitoring mandate of the Committee; gather and analyse all relevant information in Côte d'Ivoire, countries of the region and, as necessary, in other countries, on violations of the arms embargo; and to consider and recommend ways of improving the capabilities of States, in particular those in the region, to ensure the effective implementation of the measures imposed. On 23 September 2005, the Group of Experts submitted its report (see S/2005/699) to the Committee, and on 18 October 2005, by resolution 1632 (2005), the Council extended the Group's mandate until 15 December 2005, pursuant to which, on 29 November 2005, the Group submitted its update report (see S/2006/204) to the Committee.

7. By its resolution 1643 (2005) of 15 December 2005, the Security Council renewed the arms embargo as well as the travel ban and the assets freeze imposed in paragraphs 9 and 11, respectively, of resolution 1572 (2004). Pursuant to

paragraph 6 of resolution 1643 (2005), the Council imposed an embargo on the import of all rough diamonds from Côte d'Ivoire, and in paragraph 9 of the same resolution, requested the Secretary-General to establish an expanded group of experts for six months with the additional task of monitoring the embargo on diamonds. The Group of Experts submitted its report to the Committee on 16 August 2006 (see S/2006/735, annex).

8. By paragraph 4 of resolution 1643 (2005), the Council decided that any obstacle to the freedom of movement of UNOCI and of the French forces, or any attack or obstruction to the action of UNOCI, the French forces, the High Representative for the elections and the International Working Group, constituted a threat to the peace and national reconciliation process for purposes of the measures imposed by the Council in paragraphs 9 and 11 of resolution 1572 (2004).

9. On 14 September 2006, by resolution 1708 (2006), the Council extended the mandate of the Group of Experts until 15 December 2006 and requested the Group to submit an update report on the implementation of the measures imposed by the Council in paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005), with recommendations in that regard. The Group of Experts submitted its update report to the Committee on 27 November 2006 (see S/2006/964).

10. On 15 December 2006, by resolution 1727 (2006), the Council renewed until 31 October 2007 the arms embargo, the travel and financial sanctions as well as the embargo on the import of all rough diamonds originating in Côte d'Ivoire. By paragraph 7 of the same resolution, the Council decided to extend the mandate of the Group of Experts for a further six months. The Group was requested to report to the Security Council in writing, through the Committee, before 15 June 2007, on the implementation of the measures imposed by the Council in paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005). The Group of Experts submitted its report to the Committee on 11 June 2007 (see S/2007/349).

11. On 20 June 2007, by resolution 1761 (2007), the Council decided to extend the mandate of the Group of Experts, as set out in resolution 1727 (2006), until 31 October 2007. By paragraph 2 of the same resolution, the Council requested the Group to submit a written update to the Sanctions Committee before 15 October 2007 on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005). The Group of Experts submitted its report to the Committee on 21 September 2007 (see S/2007/611).

12. On 29 October 2007, by resolution 1782 (2007), the Security Council renewed until 31 October 2008 the measures contained in paragraphs 7 to 12 of resolution 1572 (2004) and in paragraph 6 of resolution 1643 (2005). By paragraph 8 of the same resolution, the Council decided to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 31 October 2008. The Council requested the Group to provide a midterm report to the Committee by 15 April 2008 and to submit a final written report to the Security Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in that regard.

III. Summary of the activities of the Committee

13. In 2007, the Committee held 10 informal consultations (30 January, 9 March, 13 March, 11 April, 18 May, 11 June, 25 July, 12 September, 17 October and 12 December).

14. During its informal consultations on 30 January 2007, the Committee commenced the process of revising the guidelines for the conduct of its work in accordance with paragraph 2 of resolution 1730 (2006), by which the Security Council directed the sanctions committees to revise their guidelines in the light of the focal point process. During its informal consultations of 9 March and 11 April 2007, respectively, the Committee discussed a first and a second draft of the revised guidelines for the conduct of its work. On 20 April 2007, the Committee formally adopted its revised guidelines. On 30 April 2007, the Committee transmitted its revised guidelines to all Member States in a note verbale, and on 1 May 2007 it issued a press release concerning the adoption of its revised guidelines (SC/9012).

15. At its informal consultations held on 18 May 2007, the Committee received a briefing from the Assistant Secretary-General for Peacekeeping Operations, Hédi Annabi, on issues related to sanctions that were discussed during a multidisciplinary Technical Assessment Mission to Côte d'Ivoire, which took place from 10 to 22 April 2007. The Mission was dispatched following the signing on 4 March 2007 of the Ouagadougou Political Agreement (S/2007/144, annex). During the same meeting, the Committee also discussed aspects relevant to its work contained in the report of the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997, annex), pursuant to a request by the Security Council in resolution 1732 (2006). The Committee duly took note of the best practices and methods contained in the Working Group's report.

16. On 11 June 2007, the Group of Experts on Côte d'Ivoire submitted its report (see S/2007/349) to the members of the Committee. Subsequently, Committee members discussed the observations and recommendations contained in the report. On 13 June 2007, the Chairman briefed the members of the Security Council on the main findings contained in the report and on the Committee's discussions of the Group's report and its recommendations. On 6 July 2007, the Committee dispatched letters to the Permanent Representatives of Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Liberia, Mali, Sierra Leone and Togo to the United Nations, the heads of four quasi-fiscal agencies in the coffee and cocoa sectors in Côte d'Ivoire, the Officer-in-Charge of UNOCI and the Chairman of the Kimberley Process, drawing attention to relevant paragraphs contained in the report of the Group of Experts (see S/2007/349).

17. During its informal consultations on 25 July 2007, the Committee noted the findings contained in the report of the Kimberley Process Review Mission to Ghana, which had taken place from 26 to 30 March 2007 and in which the diamond expert of the Group of Experts had participated. At the same meeting, the Chairman informed Committee members of his intention to announce future informal consultations of the Committee in the *Journal of the United Nations* and on the Committee's website (http://www.un.org/sc/committees/1572/index.shtml) in accordance with paragraph 47 of the annex to the note by the President of the Security Council on the Informal Working Group on Documentation and Other Procedural Questions (S/2006/507).

18. On 12 September 2007, the Committee considered a letter from the Coordinator of the Group of Experts and a monthly report from the Group covering the period from 23 July to 22 August 2007. In follow-up to the deliberations on those documents, on 11 October 2007 the Committee sent a letter to the Permanent Representative of Côte d'Ivoire to the United Nations stressing the importance of strengthened cooperation between the authorities of Côte d'Ivoire and the Group of Experts.

19. At its informal consultations held on 17 October 2007, the Committee received a briefing from the Group of Experts in connection with its report of 21 September 2007 (see S/2007/611) and discussed the observations and recommendations contained therein. On 25 October 2007, the Committee Chairman briefed the Security Council on the main findings contained in the report and gave an account of the Committee's deliberations on the observations and recommendations in the report. On 15 November 2007, the Committee transmitted letters to the Permanent Representatives of Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Liberia, Mali, Sierra Leone and Togo to the United Nations, the Under-Secretary-General for Peacekeeping Operations and the Chairman of the Kimberley Process, drawing attention to relevant paragraphs contained in the report of the Group of Experts (see S/2007/611).

20. During the reporting period, the Committee considered several monthly arms embargo and media monitoring reports, which are prepared by UNOCI in accordance with paragraphs 2 and 9 of resolution 1584 (2005) and paragraph 6 of resolution 1572 (2004). During its consultations on 9 March 2007, the Committee also considered the UNOCI human rights report for the period September to December 2006.

21. In 2007, the Committee received one report in accordance with paragraph 7 of resolution 1643 (2005) and five reports in accordance with paragraph 5 of resolution 1727 (2006) (see enclosure).

IV. Violations and alleged violations of the sanctions regime

22. In its report of 11 June 2007 (see S/2007/349), the Group of Experts on Côte d'Ivoire did not find evidence of major violations of the sanctions regime. However, the Group pointed to some possible violations of the arms embargo such as a shipment of military equipment for the National Police and the shipment of arms and related materials to private security and cash transport companies in Côte d'Ivoire. The Group also pointed to the continuation of the lack of surveillance at the ports of Abidjan and San Pedro, which made it likely that they would be used as points of entry for possible violations of the embargo on arms and related material. The Group also noted with concern the increasing number of cases of obstruction, particularly by the Defence and Security Forces of Côte d'Ivoire, of inspections carried out by the Group and the impartial forces since the signing of the Ouagadougou Political Agreement in March 2007.

23. Concerning the issue of possible foreign technical assistance, the Group requested a list of technicians involved in the maintenance on the Mi-24 helicopter of the Force aérienne de la Côte d'Ivoire (FACI), but was not able to obtain the document. However, the Group was able to verify the presence in Côte d'Ivoire of a Belarusian national whose status was that of technical adviser to the Ivorian

Ministry of Defence. His refusal to meet with the Group led it to believe that he might still be involved in providing technical assistance to the Ivorian Air Force.

24. During its field work in Côte d'Ivoire during the first half of 2007, the Group observed sustained and well-organized diamond mining activities in the north of the country, which led it to conclude that rough diamonds from Côte d'Ivoire continued to be smuggled to neighbouring States, from where they enter the international diamond market.

25. In its most recent report (see S/2007/611), the Group similarly reported that it had not detected any major violations of the arms embargo. However, it found that the equipment lists submitted to UNOCI by the Defence and Security Forces of Côte d'Ivoire and the Defence and Security Forces of the Forces nouvelles did not include all the equipment that was in their possession when the arms embargo was imposed. The Group of Experts also continued to encounter refusals of arms embargo inspections, especially by the units of the Republican Guard. It further observed that the disarmament, demobilization and reintegration process had not yet moved much beyond two symbolic ceremonies.

26. While visiting northern Côte d'Ivoire during the second half of 2007, the Group continued to observe a strong increase in diamond-mining activities. In that connection, the Group called upon the Ivorian authorities to take all appropriate measures to prevent the export of diamonds and to strengthen border inspections. The Group further called upon the authorities of all the States bordering Côte d'Ivoire to strengthen their internal controls over the production, certification and export of diamonds.

27. Also in its most recent report (see S/2007/611), the Group reported a violation of the assets freeze provisions contained in paragraph 11 of Security Council resolution 1572 (2004) in connection with royalties paid to Charles Blé Goudé by a State-owned publisher of a book written by Mr. Blé. The Group recommended that the Ivorian authorities freeze any funds representing royalties belonging to Mr. Blé, who is one of the three individuals included on the Committee's asset freeze and travel ban list (http://www.un.org/sc/committees/1572/AFTBlist.shtml).

V. Observations and conclusions

28. The primary responsibility for the implementation of the measures imposed by the Security Council rests with Member States. For its part, in facilitating and monitoring the implementation of the relevant measures, the Committee has greatly benefited from the information provided by the Group of Experts, UNOCI and other sources which has proven to be a useful tool in deciding upon appropriate actions. The Committee remains committed to discharging its mandate as effectively and as efficiently as possible.

Enclosure

Replies received in accordance with paragraph 7 of resolution 1643 (2005)

State	*Date of communication*	*Symbol*
Palau	15 October 2007	S/AC.45/2006/24

Replies received in accordance with paragraph 5 of resolution 1727 (2006)

State	*Date of communication*	*Symbol*
Brazil	14 February 2007	S/AC.45/2007/1
Netherlands	12 March 2007	S/AC.45/2007/2
United States of America	20 March 2007	S/AC.45/2007/3
Switzerland	8 March 2007	S/AC.45/2007/4
Guatemala	26 June 2007	S/AC.45/2007/5